



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,679	02/20/2002	Dan Thaxton	STD 1067 PA	6750
23368 7590 12/10/2008				
DINSMORE & SHOHL LLP				
ONE DAYTON CENTRE, ONE SOUTH MAIN STREET				
SUITE 1300				
DAYTON, OH 45402-2023				
EXAMINER				
KAMAL, SHAHID				
ART UNIT		PAPER NUMBER		
3621				
MAIL DATE		DELIVERY MODE		
12/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/079,679

Applicant(s)

THAXTON, DAN

Examiner

SHAHID KAMAL

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Acknowledgements

1. Claims 1-20 are remain pending and have been examined.
2. This Office Action is responsive to the amendment filed on August 27, 2008.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(b) as anticipated by Vrain (US Pub. No. 2001/00337309 A1) ("Vrain").

Referring to claim 1, Vrain discloses the following:

a) processing data relating to selected security features of said document (see abstract, figures 7B(730), 9, 10B & associated text, ¶¶ 0007, 0019, 0021, 0024, 0060, 0061, 0062, 0065, 0068, claim 9 –security feature design module can be a computer application running on a processor or computer remote to server and be coupled to server through an Internet network connection, intranet network connection or dial-up modem connection), said security features each having

associated compatibility and relative rating information (see figure 10B, ¶¶ 0019, 0021, 0060, 0061, 0062, 0065, 0068, claim 9 –security feature design module also be a computer application running locally on server under the control of the local server operating system);

b) revising said selected security features of said document to resolve any compatibility issues (see abstract, ¶¶ 0011, 0019, 0021, 0040, 0046, 0060, 0061, 0062, 0065 –security feature module can be written and compiled in a high level language which is compatible);

c) evaluating said relative rating information of said selected security features to determine a document security rating of said document (see abstract, ¶¶ 0019, 0021, 0048, 0065 –providing to and receiving from the user a plurality of badge design guidance data that is securely stored); and

d) presenting said document security rating (see figure 8B & associated text, ¶¶ 0019, 0021, 0048, 0064, 0068 –prompt the user for marking or generating security data).

Referring to claim 2, Vrain further discloses presenting security features for selection (see abstract, figure 8B & associated text, ¶¶ 0019, 0021, 0048, 0064, 0068 –prompt the user for marking or generating security data).

Referring to claim 3, Vrain further discloses wherein said security features are presented categorized by purpose (see figure 8B & associated text, ¶¶ 0021, 0048, 0064, 0068 –prompt the user for marking or generating security data).

Referring to claim 4, Vrain further discloses providing a selectable link for at least one said security feature, which when selected presents information which describes the associated

security feature and explains strengths and weaknesses of the associated security feature (see abstract, ¶¶ 0019, 0061, 0062, 0065).

Referring to claim 5, Vrain further discloses recommending said security features based on security document type and desired security level (see ¶¶ 0019, 0021, 0052, 0055, 0061, 0068).

Referring to claim 6, Vrain further discloses providing a link for at least one of said security document type, which when selected presents an example of the associated security document type (see ¶¶ 0019, 0052, 0055, 0061, 0068).

Referring to claim 7, Vrain further discloses wherein said example includes recommended security features and providing associated links which when selected explain each associated security feature (see ¶¶ 0019, 0052, 0055, 0061, 0065, 0068).

Referring to claim 8, Vrain further discloses a method of further comprising requesting document design information to help assess compatibility issues (see ¶¶ 0011, 0019, 0021, 0040, 0046, 0060, 0065 –security feature module can be written and compiled in a high level language which is compatible).

Referring to claim 9, Vrain further discloses said document design information includes use of security document, type of document paper, storage requirements, and threat environment assessment, and type of document shipping (see ¶¶ 0019, 0021, 0052, 0055, 0060, 0061, 0065).

Referring to claim 10, Vrain further discloses certain said security features are made unselectable based upon received said document design information (see ¶¶ 008, 0009, 0019, 0021, 0068).

Referring to claim 11, Vrain further discloses wherein said document security rating includes a rating of how well said selected security features will protect the security document against different forms of attack and relative ease of authentication of the security document (see ¶¶ 0019, 0060, 0062, 0065 –security feature design module also be a computer application running locally on server under the control of the local server operating system).

Referring to claim 12, Vrain further discloses said different forms of attack include tampering, copying, counterfeiting, and accessing, and said rating is provided for each attack (see ¶¶ 0016, 0019, 0065, 0068, claim 9).

Referring to claim 13, Vrain further discloses said authentication includes covert, and mechanical, and said rating is provided for each authentication type (see ¶¶ 0019, 0021, 0065, 0068, claims 1, 9).

Referring to claim 14, Vrain further discloses resolving said compatibility issue involves providing a warning, and suggesting at least two possible solutions for resolving said

Art Unit: 3621

compatibility issue (see ¶¶ 0011, 0040, 0046, 0060 –security feature module can be written and compiled in a high level language which is compatible).

Referring to claim 15, Vrain further discloses viewing a relative cost assessment for selected feature (see abstract, ¶¶ 0019, 0052, 0055, 0061, 0065).

Referring to claim 16, Vrain further discloses presenting a link to common questions and concerns (see ¶¶ 0040, 0065, 0067, 0068).

Referring to claim 17, Vrain further discloses said data relating to said selected security features is obtained from a database (see figure 9(910) ¶¶ 0040, 0050, 0059–security feature design data database).

Referring to claim 18, Vrain further discloses providing a protection disclaimer if said rating for at least one said attack type is deficient, and providing security feature suggestions that will provide the security document with adequate protection specified attack type area (see ¶¶ 0016, 0019, 0065, 0068).

Referring to claim 19, Vrain further discloses providing a protection disclaimer if said rating for at least one said authentication type is deficient, and providing security feature suggestions that will provide the security document with adequate protection and performance in the specified authentication type area (see ¶¶ 0019, 0060, 0062, 0065 –security feature design

module also be a computer application running locally on server under the control of the local server operating system).

Referring to claim 20, Vrain discloses the following:

- a) processing data relating to selected security features of said document, said security features each having associated compatibility and relative rating information (see abstract, figures 7B(730), 9, 10B & associated text, ¶¶ 0019, 0021, 0060, 0061, 0062, 0065, 0068, claim 9 –security feature design module also be a computer application running locally on server under the control of the local server operating system);
- b) revising said selected security features of said document to resolve any compatibility issues (see abstract, ¶¶ 0011, 0019, 0021, 0040, 0046, 0060, 0061, 0062, 0065 –security feature module can be written and compiled in a high level language which is compatible);
- c) evaluating said relative rating information of said selected security features to determine a document security rating of said document (see abstract, ¶¶ 0019, 0021, 0048, 0065 –providing to and receiving from the user a plurality of badge design guidance data that is securely stored); and
- d) presenting said document security rating of said document (see figure 8B & associated text, ¶¶ 0019, 0021, 0048, 0064, 0068 –prompt the user for marking or generating security data).

Examiner's Note:

5. The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified

citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Response to Arguments

6. Applicant's arguments filed on August 27, 2008 have been fully considered but they are not persuasive.
7. As per claims 1-20, Applicant argues "Vrain does not disclose processing data relating to selected security features of said document, said security features each having associated compatibility and relative rating information; revising said selected security features of said document to resolve any compatibility issues; evaluating said relative rating information of said selected security features to determine a document security rating of said document; and presenting said document security rating. Vrain teaches processing data relating to selected security features of said document (see abstract, figures 7B(730), 9, 10B & associated text, ¶¶ 0007, 0019, 0021, 0024, 0060, 0061, 0062, 0065, 0068, claim 9 –security feature design module can be a computer application running on a processor or computer remote to server and be coupled to server through an Internet network connection, intranet network connection or dial-up modem connection), said security features each having associated compatibility and relative rating information (see figure 10B, ¶¶ 0019, 0021, 0060, 0061, 0062, 0065, 0068, claim 9 – security feature design module also be a computer application running locally on server under

the control of the local server operating system); revising said selected security features of said document to resolve any compatibility issues (see abstract, ¶¶ 0011, 0019, 0021, 0040, 0046, 0060, 0061, 0062, 0065 –security feature module can be written and compiled in a high level language which is compatible); evaluating said relative rating information of said selected security features to determine a document security rating of said document (see abstract, ¶¶ 0019, 0021, 0048, 0065 –providing to and receiving from the user a plurality of badge design guidance data that is securely stored); and presenting said document security rating (see figure 8B & associated text, ¶¶ 0019, 0021, 0048, 0064, 0068 –prompt the user for marking or generating security data).

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Kamal whose telephone number is (571) 270-3272. The examiner

can normally be reached on MONDAY through THURSDAY between the hours of 8:30 AM and 7 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300 for Regular/After Final Actions and 571-273-6714 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shahid Kamal
December 7, 2008

/Calvin L Hewitt II/

Supervisory Patent Examiner, Art Unit 3685